



## State Statutes Series 2004

# Decision-Making for the Permanent Placement of Children: Summary of State Laws

### Schedule of Hearings

The Adoption and Safe Families Act of 1997 (P.L. 105-89) amended Title IV-E of the Social Security Act in an effort to provide added safety and permanency for children in foster placement. This legislation has served as the impetus to efforts to reform child welfare practices in most States. An emphasis is placed on the health and safety of children, as well as on expediting and improving planning and decision-making for the permanent placement of children in the child welfare system.

Federal law (42 U.S.C. 675(5)(B)) requires that the status of each child in foster care be reviewed at least once every 6 months by either a court or by administrative review. Under the Adoption and Safe Families Act (ASFA), a permanency planning hearing must be held within 12 months after the date the child is considered to have entered foster care, and then every 12 months thereafter during the continuation of foster care, to determine the permanency plan for the child.<sup>1</sup> If a determination is made by the court that reasonable efforts to reunite the child with a parent are not required, a permanency planning hearing must be held within 30 days.<sup>2</sup> The statutes in most States and territories are consistent with these requirements.

### Who May Be Present at Hearings

Many States specify in their statutes the persons who are entitled to receive notice of hearings, in order that they may attend and offer testimony. In some States, the statute allows "all parties," and that includes the parent and the agency or department having custody of the child. Other States also allow the foster parent, preadoptive parent, or relative currently providing care for the child to be present at hearings.

### Determinations Made at Hearings

The foremost determination made at any hearing is whether the child's current placement is safe and appropriate for the child's needs. Other determinations include the extent of compliance with the case plan, the extent of progress that has been made in correcting the conditions that led to the child's placement in care, and whether the agency or department has made reasonable efforts to provide the services that meet the needs of the child and the child's family.

<sup>1</sup> 42 U.S.C.A. § 675(5)(C) (West 1997).

<sup>2</sup> 42 U.S.C.A. § 671(a)(15)(E) (West 1997).



## Permanency Options

At the permanency hearing, a permanency plan must be developed that includes whether and when the child will be returned to the parent, placed for adoption, referred for legal guardianship, or placed in another planned permanent living arrangement (when compelling reasons have been documented).<sup>3</sup>

Reunification of the child with his or her family is the preferred permanency option whenever that can be safely achieved. In those cases where reunification is not appropriate, adoption is viewed as the ideal permanent legal option for children because it provides the greatest degree of permanence. In many situations, however, adoption may not be a realistic or appropriate option. Consequently, more attention is being focused on alternative permanency placements. Permanency options other than adoption do not provide the same level of permanency available through adoption but frequently facilitate continuity of family ties, which may be in the child's best interests.

In general, statutes addressing legal permanency options include the following:

- Return to parent
- Adoption
- Placement with a fit and willing relative (kinship care)
- Legal guardianship or
- Another planned permanent living arrangement

This publication is a product of the State Statutes Series prepared by the National Clearinghouse on Child Abuse and Neglect Information. While every attempt has been made to be as complete as possible, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures.

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<sup>3</sup> 42 U.S.C.A. § 675(5)(C) (West 1997).

**Alabama****Schedule of Hearings****Statute: §§ 12-15-62; 12-15-65**

A permanency hearing shall be held:

- Within 12 months of a court order placing the child in foster care
- Within 30 days of a determination that reasonable efforts to reunify the family are not required

**Persons Entitled to Attend Hearings****Statute: §§ 12-15-62; 12-15-65**

- The Department of Human Resources
- The parties and their counsel

**Determinations Made at Hearings****Statute: §§ 12-15-62; 12-15-65**

- To determine the permanency plan for the child, which may include a return to the parent, placement for adoption, or referral for legal custody
- If the court orders the child to be removed from the home, a determination must be made regarding:
  - Whether continuing the placement of the child is in the child's best interest
  - Whether reasonable efforts have been made to prevent the removal of the child or to reunify the family

**Permanency Options****Statute: §§ 12-15-71; 26-18-8**

- Permit the child to remain with the parents, guardian, or other custodian
  - Transfer legal custody of the child to the department, with orders to proceed with an adoptive placement
  - Transfer legal custody of the child to a relative or other individual who can properly care for the child
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**Alaska****Schedule of Hearings****Statute: §§ 47.10.080; 47.10.086**

A permanency hearing shall be held:

- Within 12 months after the date a child enters foster care, and at least annually thereafter during the continuation of foster care
- Within 30 days of a determination that reasonable efforts to reunify the family are not required

**Persons Entitled to Attend Hearings****Statute: § 47.10.080**

- The child
- Each parent
- The Tribe
- The foster parent or other out-of-home care provider
- The child's guardian
- The guardian *ad litem*

**Determinations Made at Hearings****Statute: § 47.10.080**

- Whether the department has made reasonable efforts to offer appropriate family support services to the parent
- Whether the parent has made substantial progress to remedy conduct or conditions in the home
- If the plan is for the child to remain in out-of-home care, whether the child's placement continues to be appropriate

**Permanency Options****Statute: § 47.10.080**

When the establishing the permanency plan, the court shall determine whether:

- The child should be returned to the parent
- The child should be placed for adoption or legal guardianship and a petition for termination of parental rights be filed
- The child should be placed in another planned, permanent living arrangement and the steps needed to achieve the arrangement

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**American Samoa****Schedule of Hearings**

Not specified in statutes reviewed

**Persons Entitled to Attend Hearings****Statute: § 45.0362**

- A parent, guardian, custodian, or next friend of any child adjudicated under this chapter
- Any person affected by a decree in a proceeding under this chapter

**Determinations Made at Hearings**

Not specified in statutes reviewed

**Permanency Options****Statute: §§ 45.0354; 45.0355**

- Place the child in the legal custody of one or both parents, with or without protective supervision
- Place the child in the legal custody of a relative or other suitable person, with or without protective supervision
- Place the child in the legal custody of a child placement agency
- Termination of all parental rights of one or both parents

**Arizona****Schedule of Hearings****Statute: § 8-862**

A permanency hearing shall be held:

- Within 30 days of the disposition hearing if no reunification services are ordered
- In other cases, within 12 months after the child is removed from the home

**Persons Entitled to Attend Hearings**

Not specified in the statutes reviewed

**Determinations Made at Hearings****Statute: §§ 8-845; 8-862**

In reviewing the status of the child, the court, if possible, shall seek to reunite the family. At the permanency hearing, the court shall determine:

- Whether termination of parental rights, adoption, permanent guardianship, or some other permanent legal status is the most appropriate for the child
- Whether reasonable efforts have been made to finalize the permanency plan in effect

**Permanency Options****Statute: §§ 8-845; 8-862**

- Return to the child's parent
- Adoption
- Permanent guardianship, by a relative or other adult
- Some other permanent legal status, such as a suitable institution, association, or school
- Independent living

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**Arkansas****Schedule of Hearings****Statute: §§ 9-27-337; 9-27-338**

- Review hearings shall be held every 6 months while the child is in out-of-home placement.
- Permanency hearings shall be held no later than 12 months after the child enters care, or has been in placement 15 of the previous 22 months, or 30 days after the court orders no reunification services.
- Annual permanency hearings shall be held as long as the child remains in placement.

**Persons Entitled to Attend Hearings****Statute: §§ 9-27-337; 9-27-338**

- The department
- The attorney *ad litem*
- The court-appointed special advocate (CASA)
- The parties and their counsel

**Determinations Made at Hearings****Statute: § 9-27-337**

- The extent of compliance with the case plan
- Progress toward alleviating the causes of out-of-home placement
- Whether the child can safely be returned home
- Whether the child should continue in out-of-home placement for a specified period of time

**Permanency Options****Statute: § 9-27-338**

- Return the child home
- Place the child for adoption
- Obtain a guardian or permanent custodian for the child
- Continue the goal of reunification if the parent is making progress and expects to achieve reunification within a reasonable period of time
- Independence for the child

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**California****Schedule of Hearings****Statute: Welf. & Inst. § 366.21**

- A review hearing shall be held 6 months after the initial dispositional hearing.
- A permanency hearing shall be held 12 months after the child enters foster care and may be continued for 6 months.
- A hearing shall be held within 120 days if the child is under age 3 years or part of a sibling group, the whereabouts of the parents are unknown, or the parent has been convicted of a felony indicating parental unfitness.

**Persons Entitled to Attend Hearings****Statute: Welf. & Inst. § 366.21**

- The social worker
- The parent or legal guardian

**Determinations Made at Hearings****Statute: Welf. & Inst. § 366.21**

- Whether the child can be returned home
- The permanent plan for the child
- Whether reasonable services have been provided or offered to the parent
- The efforts or progress demonstrated by the parent and the extent to which the parent has utilized the services provided

**Permanency Options****Statute: Welf. & Inst. §§ 366.21; 16501.1**

- Reunification
  - Adoption
  - Placement with an appropriate and willing relative
  - Legal guardianship
  - Long-term foster care, subject to periodic review by the court
  - Another planned permanent living arrangement
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**Colorado****Schedule of Hearings****Statute: § 19-3-702**

Permanency hearings shall be held:

- No later than 12 months after the child enters foster care
- Every 12 months thereafter while the child remains in care
- Within 30 days after a finding that reasonable efforts are not required
- In counties with expedited permanency planning for children under age 6, within 3 months

**Persons Entitled to Attend Hearings****Statute: § 19-3-702**

- The parents of the child
- The child
- The foster parents or adoptive parents, if any

**Determinations Made at Hearings****Statute: § 19-3-702**

- Whether the child should be returned to the parent or guardian
- Whether reasonable efforts have been made to find a safe and permanent placement
- If the child is not returned to the parent, the probability of return within 6 months
- Whether the child's safety is protected in placement
- The continuing necessity for and appropriateness of the placement
- The extent of compliance with the case plan and progress made toward alleviating the causes necessitating placement

**Permanency Options****Statute: §§ 19-3-702; 19-3-703**

- Return to the parent
- Adoption
- Legal guardianship or custody
- Placement with a fit and willing relative
- Another permanent living arrangement

For a child under age 6, in counties with expedited permanency planning:

- Return to the parent
  - Placement with a relative
  - Permanent custody granted to another
  - If the child cannot be returned home, placement in the least restrictive level of care
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**Connecticut****Schedule of Hearings****Statute: § 46b-129**

- An initial hearing shall be held 9 months after placement of the child.
- Subsequent hearings shall be held every 12 months thereafter.
- If the court determines that reasonable efforts are no longer appropriate, a hearing must be held within 30 days.

**Persons Entitled to Attend Hearings****Statute: § 46b-129**

- The child or youth
- The parent or guardian

**Determinations Made at Hearings****Statute: § 46b-129**

- Whether the permanency plan is appropriate
- Whether it is appropriate to continue reasonable efforts to reunify the child with the child's family

**Permanency Options****Statute: § 46b-129**

- Placement of the child with the parent or guardian, with or without protective supervision
- Transfer of guardianship
- Long-term foster care with a relative licensed as a foster parent or certified as a relative caregiver
- Adoption
- Another planned permanent living arrangement



**Delaware****Schedule of Hearings****Statute: Tit. 31, § 3803**

An administrative review is required:

- Once during the first 12 months after placement of the child
- At least annually thereafter

**Persons Entitled to Attend Hearings****Statute: Tit. 31, § 3814**

- Placement agencies
- The child's parents, legal guardian, guardian *ad litem*, or CASA
- Their attorneys
- Board staff

**Determinations Made at Hearings****Statute: Tit. 31, § 3810**

- Whether a plan has been developed for the child that adheres to policy, maintains a child's safety, and has been implemented and complied with
- To assess the efforts of the placement agency to achieve permanency for the child
- Whether the current placement of the child is appropriate and facilitates stability in the child's life

**Permanency Options****Statute: Tit. 31, § 3810**

- Reunification with the parent or guardian
- Adoption
- Another planned permanent living arrangement

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**District of Columbia****Schedule of Hearings****Statute: §§ 4-1301.09a; 16-2323**

A permanency hearing shall be held:

- Within 12 months of the child's entry into foster care and at least every 6 months thereafter
- Within 30 days after a determination that reasonable efforts are not required

**Persons Entitled to Attend Hearings****Statute: § 16-2323**

All parties and their attorneys

**Determinations Made at Hearings****Statute: § 16-2323**

- The safety of the child
- The continuing necessity for and appropriateness of the placement
- The extent of compliance with the case plan
- The extent of progress toward alleviating the causes necessitating placement in foster care
- A date by which the child may be returned to the parent or placed in a permanent placement

**Permanency Options****Statute: § 16-2323**

- Return to the parent
- Placement for adoption
- Legal custody or guardianship
- Another planned permanent living arrangement, such as placement with a kinship caregiver, another relative placement, or independent living

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**Florida****Schedule of Hearings****Statute: § 39.701**

- An initial judicial review shall be conducted no later than 90 days after the disposition hearing or court approval of the case plan.
- Hearings shall be held at least every 6 months thereafter until the child reaches permanency status.
- A hearing shall be held within 90 days after a child's 17th birthday, and as necessary during the year prior to the child's 18th birthday.

**Persons Entitled to Attend Hearings****Statute: § 39.701**

- The parents
- The department or agency having custody of the child
- The foster parents
- The guardian *ad litem*
- Any preadoptive parent
- The legal custodian
- The child, if he or she is age 17 years or older

**Determinations Made at Hearings****Statute: § 39.701**

- The level of compliance by all parties with the case plan
- The level of compliance with any visitation plan
- The parent's compliance in meeting financial obligations
- Whether the child's current placement is appropriate
- Whether and when the child can be returned home
- If the child has reached 13 years of age but is not yet 18 years of age, whether independent living services have been provided

**Permanency Options****Statute: § 39.621**

- Return to parent
  - Adoption
  - Guardianship
  - Long-term custody
  - Long-term licensed custody
  - Independent living
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**Georgia****Schedule of Hearings****Statute: § 15-11-58**

A permanency hearing shall be held:

- No later than 30 days after a report submitted to the court that does not contain a plan for reunification services
- No later than 12 months after the child has entered foster care
- Every 12 months thereafter for as long as the child remains in care

**Persons Entitled to Attend Hearings****Statute: § 15-11-58**

- The parents
- The custodian of the child
- The foster parents
- Any preadoptive parents or relatives providing care

**Determinations Made at Hearings****Statute: § 15-11-58**

- Whether the proposed case plan is appropriate for the child
- Whether the department intends to petition for termination of the parents' parental rights

**Permanency Options****Statute: § 15-11-58**

- Return to the parent
- Adoption
- Legal guardianship
- Placement with a fit and willing relative
- Another planned permanent living arrangement

**Guam****Schedule of Hearings****Statute: Tit. 19, § 13322**

A permanency hearing shall be held:

- Not later than 6 months after an order of disposition
- Thereafter, at least every 6 months until the court's jurisdiction has been terminated

**Persons Entitled to Attend Hearings****Statute: Tit. 19, § 13322**

- The parties
- Present or former foster parents

**Determinations Made at Hearings****Statute: Tit. 19, §§ 13322; 13324**

- Whether the family has complied with, performed, and completed, if possible, the terms and conditions of the disposition order
- Whether the family is willing and able to provide the child with a safe home
- Whether the proposed permanency plan is in the best interest of the child

**Permanency Options****Statute: Tit. 19, § 13324**

- Return to parent
- Adoption
- Placement of the child in the permanent custody of family or persons who have been as family to the child
- Placement of the child in the permanent custody of an authorized agency until the child is adopted or reaches age 18

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**Hawaii****Schedule of Hearings****Statute: §§ 587-72; 587-73**

- A case review hearing shall be held within 6 months after a service plan is ordered by the court, and every 6 months until court jurisdiction is terminated.
- If aggravated circumstances are present, or the child has been in placement for 12 consecutive months or for 15 of the last 22 months, a permanency plan hearing is held within 30 days.

**Persons Entitled to Attend Hearings****Statute: § 587-72**

- The parties
- The foster parents

**Determinations Made at Hearings****Statute: §§ 587-72; 587-73**

At the case review hearing, the court will determine whether:

- The child's family is presently able to provide a safe home
- The parents have complied with the service plan

At the permanency plan hearing, the court will determine:

- That the parent is not willing or able to provide a safe and suitable home, even with a service plan
- That the proposed permanent plan will achieve a goal that is in the child's best interest
- If a child is age 14 or older, that the child is supportive of the permanent plan

**Permanency Options****Statute: §§ 587-72; 587-73**

- Return to the parent
- Adoption
- Guardianship
- Permanent custody with an agency until the child is adopted, placed under a guardianship, or reaches the age of majority

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**Idaho****Schedule of Hearings****Statute: § 16-1611**

- A hearing to review the case and permanency plan shall be held no later than 6 months after the start of court jurisdiction.
- A hearing to review the permanency plan shall be held prior to 12 months after the child's removal from home or the start of court's jurisdiction, whichever is first.

**Persons Entitled to Attend Hearings****Statute: § 16-1610**

- The parents
- The legal guardians
- The guardian *ad litem*
- The foster parents, who may receive notice but are not participants in the child protective action

**Determinations Made at Hearings****Statute: § 16-1611**

The court shall:

- Review, approve, reject, or modify the permanency plan
- Review progress in accomplishing the permanency plan

**Permanency Options****Statute: § 16-1610**

- Return to the parent
  - Adoption
  - Placement with a guardian
  - Another approved permanent placement
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**Illinois****Schedule of Hearings****Statute: 705 ILCS 405/2-28**

- A permanency hearing shall be held:
  - Within 12 months from the date temporary custody was taken
  - Within 30 days of termination of parental rights or a determination that reasonable efforts are not required
- Subsequent permanency hearings are to be held every 6 months until permanency is achieved.

**Persons Entitled to Attend Hearings****Statute: 705 ILCS 405/2-28**

- All parties
- The caseworker, who must testify

**Determinations Made at Hearings****Statute: 705 ILCS 405/2-28**

The court shall consider:

- The permanency goal contained in the service plan
- Appropriateness of services in the plan and whether those services have been provided
- Whether reasonable efforts have been made by all parties
- Whether the plan and goal have been achieved

**Permanency Options****Statute: 705 ILCS 405/2-28**

- Return to the parent within a specified time
- Adoption
- Guardianship
- Remaining in substitute care pending independence for minors age 15 years and older
- Remaining in substitute care because a home environment is unsuitable due to developmental disability or mental illness

**Indiana****Schedule of Hearings****Statute: § 31-34-21-7**

A permanency hearing shall be held:

- Not more than 30 days after a court finds that reasonable efforts to reunify or preserve the family are not required
- Every 12 months after the date of the original disposition decree or the child's removal from the home, whichever comes first

**Persons Entitled to Attend Hearings****Statute: § 31-34-21-4**

- The child's parent, guardian, or custodian
- An attorney who represents the child's parent, guardian, or custodian
- A prospective adoptive parent
- Any other person who is currently providing care for the child
- Any other suitable relative or person who has a significant relationship to the child

**Determinations Made at Hearings****Statute: § 31-34-21-5**

- Whether the child's case plan, services, and placement meet the best interests of the child
- Whether the county Office of Family and Children has made reasonable efforts to provide family services
- Whether the parent has cooperated with the department and has enhanced the ability to fulfill parental obligations
- Whether any additional services are needed by child or the child's family
- Whether the child's current placement should be continued
- A projected date for the child to return home, be placed for adoption, be emancipated, or be placed in another permanent placement

**Permanency Options****Statute: § 31-34-21-7.5(1)**

- Return to the parent
- Placement for adoption
- Placement of the child with another responsible person, including:
  - An adult sibling
  - A grandparent
  - An aunt or uncle
  - Another relative
- Appointment of a legal guardian
- Placement in another planned, permanent living arrangement

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**Iowa****Schedule of Hearings****Statute: § 232.104**

- A permanency hearing shall be held within 12 months of the date the child was removed from the home.
- In a case where the reasonable efforts requirement has been waived, a hearing shall be held within 30 days.

**Persons Entitled to Attend Hearings****Statute: § 232.91**

- The parent, guardian, or custodian
- An agency, facility, institution, or person, including a foster parent or preadoptive parent
- The child and the child's guardian *ad litem*

**Determinations Made at Hearings****Statute: § 232.104**

- Whether services have been offered to the family to correct the situation that led to the child's removal from home
- Whether the best interests of the child are being served

**Permanency Options****Statute: §§ 232.104(2); 232.117**

- Return to the parent
- Termination of parental rights and adoption of the child
- Guardianship
- Transfer of custody to a suitable person
- Another planned, permanent living arrangement

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**Kansas****Schedule of Hearings****Statute: § 38-1565**

A permanency hearing shall be held:

- No more than 12 months after the child is placed outside the home and at least every 12 months thereafter
- Within 90 days of a determination that reintegration is not a viable option

**Persons Entitled to Attend Hearings****Statute: § 38-1565**

- All interested parties
- The foster parents
- The preadoptive parents
- Any relatives providing care for the child

**Determinations Made at Hearings****Statute: § 38-1565**

- Whether the child's needs are being met
- Whether reintegration of the family continues to be a viable option



**Permanency Options****Statute: §§ 38-1565; 38-1584**

- Return to the parent
  - Adoption
  - Permanent guardianship
  - Transfer of custody to a fit and willing relative
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**Kentucky****Schedule of Hearings****Statute: § 610.125**

- A dispositional hearing shall be held no later than 12 months after the child has entered foster care.
- A hearing shall be held every 12 months thereafter as long as the child remains in placement.

**Persons Entitled to Attend Hearings****Statute: § 610.125**

- The parent
- The foster parent
- The preadoptive parent
- Any relative providing care for the child
- The attorney for the parent
- The attorney or CASA for the child

**Determinations Made at Hearings****Statute: § 610.125**

- Review of the case progress report and the results achieved
- Evaluation of the child's current placement and services to the child
- Recommendations for services needed
- Recommendations as to the permanency goal for the child

**Permanency Options****Statute: § 610.125**

- Return to the parent
- Adoption
- Permanent custodianship
- Independent living for a child age 16 years or older
- Another planned, permanent living arrangement

**Louisiana****Schedule of Hearings****Statute: Ch. Code Art. 692; 702**

A case review hearing shall be held:

- Within 3 months of the disposition hearing if the child was removed from the home prior to the hearing; within 6 months of the removal of the child
- Every 6 months thereafter until the child is permanently placed

A permanency hearing shall be held:

- Within 30 days of a finding that reunification is not required
- Within 9 months of the disposition hearing if the child was removed from the home prior to the hearing, but in no case more than 12 months after the removal of the child
- Every 12 months thereafter until the child is permanently placed

**Persons Entitled to Attend Hearings****Statute: Ch. Code Art. 708**

- All parties
- The foster parents
- Any relatives providing care for the child
- Authorized officers of the court
- Witnesses called by the parties

**Determinations Made at Hearings****Statute: Ch. Code Art. 690; 702**

- The appropriateness of the placement
- The extent of compliance with the case plan
- Extent of progress toward correcting the circumstances necessitating placement in foster care
- Whether the department has made reasonable efforts to reunify the family or to finalize the child's placement

**Permanency Options****Statute: Ch. Code Art. 702**

- Return to the parent
- Adoption
- Placement with a legal guardian
- Placement in the legal custody of a relative
- Placement in the least restrictive, most family-like alternative permanent living arrangement

**Maine****Schedule of Hearings****Statute: Tit. 22, § 4038**

- Case reviews shall be held at least once every 6 months.
- A permanency hearing shall be held within 12 months of the time the child has entered foster care and every 12 months thereafter while the child remains under court jurisdiction.
- If reunification efforts are ordered to cease, a hearing shall be held within 30 days.

**Persons Entitled to Attend Hearings****Statute: Tit. 22, § 4038**

- The caseworker
- The parent
- The guardian *ad litem*
- The person to whom a trial placement was given
- The foster parents
- The preadoptive parents
- Any relatives providing care for the child

**Determinations Made at Hearings****Statute: Tit. 22, § 4038**

- Whether the child's placement is safe and appropriate
- The extent of the parent's compliance with the case plan and the progress toward rectifying the problems that caused the removal of the child from the home
- A likely date by which the child may be returned home or placed for adoption or legal guardianship
- If the child is age 16 years or older, whether the child is receiving instruction for independent living

**Permanency Options****Statute: Tit. 22, § 4038**

- Return to the parent
- Adoption
- Referral for legal guardianship
- Placement in another planned permanent living arrangement when the department has documented a compelling reason another option would not be in the child's best interest

The court shall consider, but is not bound by, the wishes of the child if the child is 12 years of age or older.

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**Maryland****Schedule of Hearings****Statute: Fam. Law § 5-525**

An administrative review shall be conducted by the local board every 6 months.

**Persons Entitled to Attend Hearings****Statute: Fam. Law § 5-504**

- The parents
- The foster parents

**Determinations Made at Hearings****Statute: Fam. Law § 5-525**

- To determine the success of efforts to meet the goals set out in the permanency plan
- To determine the agreement with the parents in voluntary placement

**Permanency Options****Statute: Fam. Law § 5-525**

In descending order of priority:

- Return to parent
- Placement with a relative for adoption, guardianship, or care and custody
- Adoption by a current foster parent
- Adoption by another approved family
- Placement in a permanent foster home with a specific caregiver
- Independent living
- Long-term foster care

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**Massachusetts****Schedule of Hearings****Statute: Ch. 119, § 29B**

A permanency hearing shall be held:

- Within 12 months of the original commitment and every 12 months thereafter while the child remains in care
- Within 30 days of a determination that reasonable efforts are not required

**Persons Entitled to Attend Hearings****Statute: Ch. 119, §§ 29B; 29D**

- The parent or guardian
- The foster parent
- The preadoptive parent
- Any relative providing care for the child

**Determinations Made at Hearings****Statute: Ch. 119, § 29B**

To determine and periodically review the permanency plan for the child

**Permanency Options****Statute: Ch. 119, § 29B**

- Return to the parent
  - Adoption
  - Legal guardianship
  - Another planned, permanent living arrangement
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**Michigan****Schedule of Hearings****Statute: §§ 712A.19; 712A.19a; 712A.19c**

A hearing shall be held:

- Not more than 182 days after placement in foster care
- Every 91 days while the child remains in care
- Every 182 days if the child is in a permanent foster family agreement or placed with a relative
- If the child remains in care, a permanency plan hearing within 1 year; in 28 days if there are aggravated circumstances
- Every 91 days after termination of parental rights until permanency is achieved

**Persons Entitled to Attend Hearings****Statute: § 712A.18f**

- The parent, guardian, or custodian
- The foster parent
- The child caring institution
- Any relative with whom the child is placed
- The lawyer-guardian *ad litem*, attorney, or guardian *ad litem*

**Determinations Made at Hearings****Statute: § 712A.19**

- Compliance with the case service plan with respect to services provided
- Extent to which the parent complied with the service plan
- The continuing necessity and appropriateness of the child's placement

**Permanency Options****Statute: § 712A.19**

- Return to the parent
- Termination of parental rights
- If termination of parental rights is not in the child's best interest, an alternative placement plan, including limited or long-term foster care

**Minnesota****Schedule of Hearings****Statute: § 260C.201, Subd. 10, 11**

A hearing shall be held:

- Not later than 6 months after the child has been placed out of the home to review agency efforts
- Not later than 12 months after the child is placed in foster care, or in the care of a noncustodial parent, to determine the permanent status of the child

**Persons Entitled to Attend Hearings****Statute: § 260C.163, Subd. 2**

- The child
- The parents, guardian, or legal custodian
- Official tribal representatives in any proceeding that is subject to the Indian Child Welfare Act
- A grandparent, if the child has lived with the grandparent during the preceding 2 years
- A relative who is being considered as a permanent legal custodian for the child
- An attorney or guardian *ad litem*

**Determinations Made at Hearings****Statute: § 260C.201, Subd. 10**

- Whether continued out of home placement is necessary and appropriate
- To determine the permanent status of a child who has been in placement 12 months or more

**Permanency Options****Statute: § 260C.201, Subd. 1, 11**

- Return to the parent
- Transfer custody to a noncustodial parent
- Transfer custody to a child-placing agency for adoption
- Transfer custody to a relative for guardianship
- Independent living for a child age 16 or older
- Long-term foster care under specified conditions
- Foster care for a specified time period under certain conditions

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**Mississippi****Schedule of Hearings****Statute: § 43-15-13**

A hearing shall be held within 3 months of the child's placement in care and every 6 months thereafter.

**Persons Entitled to Attend Hearings****Statute: § 43-15-13**

- The parent
- The foster parent
- The grandparents
- The guardian *ad litem*
- Representatives of any private care agency that has cared for the child
- Social workers assigned to the case

**Determinations Made at Hearings****Statute: § 43-15-13**

- Extent of the care and support provided by the parent
- Extent of communication with the child by the parent
- Extent of compliance by the agency and the parent with the social service plan

**Permanency Options****Statute: § 43-15-13**

- Return to the parent
- Adoption
- Placement with a relative
- Other safe and adequate placement for children who cannot return home or be placed for adoption

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**Missouri****Schedule of Hearings****Statute: §§ 210.710; 210.720**

- A hearing to review the status of the child shall be held within 6 months.
- A permanency hearing shall be held within 12 months of the initial placement and at least annually thereafter.

**Persons Entitled to Attend Hearings****Statute: §§ 210.710; 210.761**

- The child
- The parent, guardian, or relative
- The foster parent

**Determinations Made at Hearings****Statute: § 210.720**

To determine a permanent plan for placement of the child in accordance with the best interests of the child

**Permanency Options****Statute: § 210.710**

- Return to the parent
  - Adoption
  - Continuation of foster care
- 

**Montana****Schedule of Hearings****Statute: § 41-3-445**

A permanency hearing shall be held:

- Within 30 days of a determination that reasonable efforts are not required
- No later than 12 months after the child enters care and every 12 months thereafter

**Persons Entitled to Attend Hearings****Statute: § 41-3-428**

- The parent
- The guardian
- Any other person having legal custody of the child

**Determinations Made at Hearings****Statute: § 41-3-445**

- Whether the permanency plan is in the best interests of the child
- Whether the department has made reasonable efforts to finalize the plan
- A review of options for the child's permanent placement and examination of reasons for excluding higher priority options

**Permanency Options****Statute: § 41-3-445**

- Reunification with the parent
- Adoption
- Appointment of a guardian
- Placement with a relative
- Another planned permanent arrangement when circumstances warrant
- Independent living for a child age 16 or older



**Nebraska****Schedule of Hearings****Statute: §§ 43-283.01; 43-1312; 43-1313**

- Dispositional orders shall be reviewed every 6 months while the child is in care.
- A permanency hearing shall be held no later than 12 months after the child enters care and at least annually thereafter.
- A permanency hearing shall be held within 30 days of a finding that reasonable efforts to reunify are not required.

**Persons Entitled to Attend Hearings****Statute: § 43-1314**

- The parents or guardian
- The child, if age 14 years or older
- The guardian *ad litem*
- The foster parents
- The State board
- A preadoptive parent or relative providing care for the child

**Determinations Made at Hearings****Statute: §§ 43-1312; 43-1313**

- Review of the dispositional order and case plan
- Review of the appropriateness of the permanency plan

**Permanency Options****Statute: § 43-1312**

- Return to the parent
- Adoption
- Guardianship

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**Nevada****Schedule of Hearings****Statute: §§ 432B.580; 432B.590**

- Placement must be reviewed at least semi-annually.
- A permanency hearing must be held no later than 12 months after initial removal of the child from the home and at least annually thereafter.
- A permanency hearing must be held within 30 days of a finding that reasonable efforts to reunify are not required.

**Persons Entitled to Attend Hearings****Statute: §§ 432B.580; 432B.590**

- The parents
- The guardian *ad litem*
- The attorney representing the parent or the child
- Any person planning to adopt the child
- The foster parents currently providing care for the child
- The child, if the child's presence is requested by the court

**Determinations Made at Hearings****Statute: § 432B.580**

- The continuing necessity for and appropriateness of the placement
- The extent of compliance with the case plan
- Any progress being made toward alleviating the problem that resulted in the placement of the child
- The date the child may be returned home or placed for adoption or a legal guardianship

**Permanency Options****Statute: § 432B.590**

- Return to the parent
- Placement with other relatives
- Adoption
- Guardianship
- Another permanent living arrangement

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**New Hampshire****Schedule of Hearings****Statute: § 169-C:24**

A hearing must be held at least once a year.

**Persons Entitled to Attend Hearings****Statute: § 169-C:24**

All parties

**Determinations Made at Hearings****Statute: § 169-C:24**

The status of all consent orders, including a specific plan for the services that are being provided to the child and family

**Permanency Options****Statute: § 170-C:11**

- Return to the parent
- Award of guardianship to the department or an authorized agency

**New Jersey****Schedule of Hearings****Statute: §§ 30:4C-58; 30:4C-61.2**

- A board shall make an initial review of the placement within 45 days, and every 12 months thereafter.
- A permanency hearing shall be held no later than 12 months after placement; within 30 days of a finding that reasonable efforts to reunify are not required.

**Persons Entitled to Attend Hearings****Statute: § 30:4C-59**

- The division or agency
- The parents, including a noncustodial parent or guardian
- A temporary caretaker, including a resource family parent or relative
- Any other person who has an interest in or information about the child
- Counsel for a parent, child, or other interested party

**Determinations Made at Hearings****Statute: § 30:4C-58**

- The appropriateness of the placement plan and the services provided
- Whether the division and parents are fulfilling their respective responsibilities
- Whether the parents have been given opportunities for visitation
- Whether there are obstacles that prevent the attainment of the placement plan objectives and goal

**Permanency Options****Statute: § 30:4C-60**

- Return to the parent or legal guardian
- Adoption
- Permanent placement with a relative
- Long-term foster care custody
- Independent living
- Institutionalization
- An alternative permanent placement

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**New Mexico****Schedule of Hearings****Statute: §§ 32A-4-25; 32A-4-25.1**

- An initial judicial review shall be conducted within 60 days of the disposition.
- A permanency hearing shall be held within 6 months of the initial judicial review.
- Subsequent periodic reviews shall be conducted within 6 months of the permanency hearing and every 6 months thereafter.

**Persons Entitled to Attend Hearings****Statute: § 32A-4-25**

All parties

**Determinations Made at Hearings****Statute: § 32A-4-25**

- The extent to which the treatment plan has been implemented
- For an Indian child, whether the placement preferences of the child's Tribe were followed

**Permanency Options****Statute: § 32A-4-25.1**

- Return to the parent
  - Adoption
  - Emancipation of the child
  - Permanent guardianship
  - Long-term foster care
- 

**New York****Schedule of Hearings****Statute: Soc. Serv. Law §§ 358-a; 392**

Permanency hearings shall be held:

- After the child has been in placement for a continuous period of 12 months; every 12 months thereafter
- Within 30 days of a finding that reasonable efforts to reunify are not required

**Persons Entitled to Attend Hearings****Statute: Soc. Serv. Law § 392**

- All parties
- The foster parents

**Determinations Made at Hearings****Statute: Soc. Serv. Law § 392**

- The appropriateness of the permanency plan
- What services have been offered to strengthen the family
- Other efforts that may promote the best interests of the child
- For a child age 16 years or older, services to assist the child to transition to independent living
- For a child placed out of the State, whether the placement continues to be appropriate

**Permanency Options****Statute: Soc. Serv. Law § 392**

- Return to the parent
- Adoption
- Legal guardianship
- Permanent placement with a fit and willing relative
- Another planned, permanent living arrangement

**North Carolina****Schedule of Hearings****Statute: §§ 7B-507; 7B-906; 7B-907**

- A review hearing shall be held within 90 days after the dispositional hearing and every 6 months thereafter.
- A permanency hearing shall be held within 12 months of the order removing custody and every 6 months thereafter.
- A permanency hearing shall be held within 30 days of a finding that reasonable efforts to reunify are not required.

**Persons Entitled to Attend Hearings****Statute: § 7B-907**

- The parent
- The child, if age 12 years or older
- The guardian
- Any foster parent, relative, or preadoptive parent providing care for the child
- The custodian or agency with custody
- The guardian *ad litem*
- Any other person or agency the court may specify

**Determinations Made at Hearings****Statute: § 7B-907**

Review the progress made in finalizing the permanent plan for the child or, if necessary, make a new permanent plan

**Permanency Options****Statute: § 7B-907**

- Return to the parent
- Legal guardianship
- Adoption
- Another permanent living arrangement

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**North Dakota****Schedule of Hearings****Statute: § 27-20-36**

A permanency hearing shall be held:

- No more than 12 months after the child has been placed in foster care and every 12 months thereafter
- Within 30 days of a finding that reasonable efforts to reunify are not required

**Persons Entitled to Attend Hearings****Statute: § 27-20-36**

- The child
- The parent
- The guardian or custodian
- All parties affected

**Determinations Made at Hearings**

Not specified in statutes reviewed

**Permanency Options**

**Statute: §§ 27-20-36; 27-20-47**

- Return to the parent
  - Adoption
  - Placement with a fit and willing relative
  - Placement with a legal guardian
  - Another planned, permanent living arrangement
- 

**Northern Mariana Islands****Schedule of Hearings**

**Statute: Tit. 6, §§ 5323; 5324**

A hearing shall be held:

- Within 30 days of the establishment of a temporary wardship
- At the end of 1 year where the child has been made a ward of the court

**Persons Entitled to Attend Hearings**

**Statute: Tit. 6, § 5323**

The parent or guardian

**Determinations Made at Hearings**

**Statute: Tit. 6, §§ 5323; 5324**

- Whether there is reasonable cause to believe that the child's safety would be endangered by a return home
- That removal from the home is in the child's best interest

**Permanency Options**

**Statute: Tit. 6, § 5324**

- Return to the parent
  - Custody to the division of youth services who will place the child with a reputable person
- 

**Ohio****Schedule of Hearings**

**Statute: § 2151.417**

- The court shall hold a review hearing 1 year after the child was first placed in care and every 12 months thereafter.
- A hearing shall be held within 30 days of a finding that efforts to return the child home are no longer required.

**Persons Entitled to Attend Hearings****Statute: § 2151.417**

- Appropriate agency employees
- The child's parents
- Any person who had guardianship or legal custody of the child
- The guardian *ad litem*
- The child

**Determinations Made at Hearings****Statute: § 2151.417**

- Appropriateness of any agency actions
- The safety and appropriateness of continuing the child's placement
- Whether any changes should be made to the child's permanency plan or placement

**Permanency Options****Statute: § 2151.417**

- Return home
- Adoption
- Legal custody
- Another planned, permanent living arrangement

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**Oklahoma****Schedule of Hearings****Statute: Tit. 10, § 7003-5.6d**

- The court shall conduct a permanency hearing no later than 12 months after placing the child in care and every 12 months thereafter.
- A hearing shall be held within 30 days after a finding the reasonable efforts are not required.

**Persons Entitled to Attend Hearings****Statute: Tit. 10, § 7003-5.6d**

- The parties
- The present foster parents of the child
- The child's guardian *ad litem*
- Any preadoptive parent or relative providing care for the child

**Determinations Made at Hearings****Statute: Tit. 10, § 7003-5.6d**

- Determine the most suitable permanency plan for the child
- Whether the parent has made progress towards reunification with the child
- Whether the parties have complied with the terms of the service plan

**Permanency Options****Statute: Tit. 10, § 7003-5.6d**

- Return home
  - Adoption
  - Placement with a fit and willing relative or legal guardian
  - Another planned, permanent living arrangement
- 

**Oregon****Schedule of Hearings****Statute: § 419B.470**

A permanency hearing shall be held:

- Within 30 days of a finding that reasonable efforts to reunify are not required
- No later than 12 months after the child was placed under the jurisdiction of the court or 14 months after the child was placed in care, whichever occurs first
- Every 12 months thereafter

**Persons Entitled to Attend Hearings****Statute: § 419B.473**

- The child or ward
- The department or an agency directly responsible for the care or placement of the child
- The parents whose rights have not been terminated
- An attorney for the child or ward
- A court-appointed special advocate
- A citizen review board
- A tribal court

**Determinations Made at Hearings****Statute: § 419B.476**

- Whether the department has made reasonable efforts and the parent has made sufficient progress to reunify the family
- Compliance with the case plan
- Efforts made by the department to develop a concurrent permanent plan

**Permanency Options****Statute: § 419B.476**

- Return to the parent
- Adoption
- Legal guardianship
- Another planned permanent living arrangement
- For a child age 16 or older, independent living
- If an Indian child, the placement preference established by the Indian Child Welfare Act



**Pennsylvania****Schedule of Hearings****Statute: Tit. 42, § 6351**

A permanency hearing shall be held:

- Within 6 months of the child's removal from the home and every 6 months thereafter
- Within 30 days of a finding that reasonable efforts to reunify are not required

**Persons Entitled to Attend Hearings****Statute: Tit. 42, §§ 6310; 6336.1**

- The parent, guardian, or custodian of the child
- The foster parent, preadoptive parent, or relative providing care for the child

**Determinations Made at Hearings****Statute: Tit. 42, § 6351**

- The continuing necessity and appropriateness of the placement
- Extent of progress and compliance with the case plan
- Appropriateness of the current placement goal for the child
- Whether the child is safe
- If the child has been in care for 15 of the past 22 months or aggravated circumstances exist, whether a petition to terminate parental rights has been filed
- Services needed for a child age 16 or older to transition to independent living

**Permanency Options****Statute: Tit. 42, § 6351**

- Return to the parent
- Adoption
- Placement with a legal custodian
- Placement with a fit and willing relative
- Another planned permanent living arrangement

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**Puerto Rico****Schedule of Hearings****Statute: Tit. 8, §§ 443c; 443k**

- A review hearing shall be held within 6 months.
- The court shall hold a hearing for the final disposition of the permanence plan no later than 12 months after the plan has been initiated.
- A permanency hearing shall be held within 30 days of a finding that reasonable efforts are not required.

**Persons Entitled to Attend Hearings****Statute: Tit. 8, §§ 443c; 443e; 443f**

- The parties assisted by their attorneys
- Foster parents who have had the child in their care for up to 12 months
- Grandparents who have maintained a relationship with the child

**Determinations Made at Hearings****Statute: Tit. 8, § 443c**

- The extent of compliance with the service plan
- Whether reasonable efforts have been made
- Whether the child's current placement safeguards the welfare of the child

**Permanency Options****Statute: Tit. 8, § 443k**

- Return to the parent
- Adoption
- Placement with a legal custodian

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***Rhode Island*****Schedule of Hearings****Statute: §§ 40-11-12.1; 40-11-12.2**

A permanency hearing shall be held:

- Within 12 months of the child's placement in care; at least every 12 months thereafter
- Within 30 days after a finding that reasonable efforts to reunify are not required

**Persons Entitled to Attend Hearings****Statute: § 40-11.12.1**

- All parties
- The foster parents
- Any preadoptive parent or relative providing care for the child

**Determinations Made at Hearings****Statute: § 40-11.12.1**

- The appropriateness of the service plan
- What services have been offered
- Any further efforts that will promote the best interests of the child

**Permanency Options****Statute: § 40-11.12.2**

- Return to the parent
  - Adoption
  - Legal guardianship
  - Placement with a fit and willing relative
  - Another planned permanent living arrangement
- 

**South Carolina****Schedule of Hearings****Statute: § 20-7-766**

A permanency hearing shall be held no later than 12 months after the child was placed in foster care and annually thereafter until permanency is achieved.

**Persons Entitled to Attend Hearings****Statute: § 20-7-766**

- The parents
- The child
- The child's guardian *ad litem*
- The individual or agency with legal custody or placement of the child
- The foster parent

**Determinations Made at Hearings****Statute: § 20-7-766**

- Status of the child
- Progress being made toward the child's return home or other permanent plan
- The services or supervision necessary to reduce or eliminate the risk of harm to the child

**Permanency Options****Statute: § 20-7-766**

- Return to the parent
  - Custody or guardianship with a fit and willing relative
  - Adoption
  - Another permanent plan
- 

**South Dakota****Schedule of Hearings****Statute: §§ 26-8A-21.2; 26-8A-24; 26-8A-26**

- A review hearing of the child's foster care status shall be held every 6 months.
  - A permanency hearing shall be held within 30 days of a finding that reasonable efforts are not appropriate.
  - A permanency hearing shall be held after the child has been in care 12 months and every 12 months thereafter.
-

**Persons Entitled to Attend Hearings**

Not specified in statutes reviewed

**Determinations Made at Hearings**

**Statute: § 26-8A-25**

- The appropriateness of foster placement
- The assistance and services that have been provided to the parents
- If return to the parent is unlikely, efforts made by the department to provide other care

**Permanency Options**

**Statute: §§ 26-8A-21.2; 26-8A-26**

- Return to the parent
- Adoption
- Legal guardianship
- Placement with a fit and willing relative
- Another planned permanent living arrangement
- Independent living for a child age 16 or older

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**Tennessee****Schedule of Hearings**

**Statute: §§ 37-1-166; 37-2-404; 37-3-409**

- A review hearing shall be held within 90 days of placement and every 6 months thereafter.
- A permanency hearing shall be held within 12 months of placement and every 12 months thereafter.
- A permanency hearing shall be held within 30 days of a finding that reasonable efforts to reunify are not required.

**Persons Entitled to Attend Hearings**

**Statute: §§ 37-1-129; 37-2-403; 37-2-404**

- The parents or legal guardian
- Any other person who has been primarily responsible for the child's care during the previous 12 months

**Determinations Made at Hearings**

**Statute: §§ 37-2-404; 37-3-409**

- The appropriateness of continued foster placement
- The compliance of all parties to the statement of responsibilities
- Extent of progress in alleviating the causes necessitating placement of the child in foster care
- Progress in achieving the goals of the permanency plan

**Permanency Options****Statute: §§ 37-2-403; 37-2-409**

- Return to the parent
  - Permanent placement with a fit and willing relative
  - Adoption
  - Legal guardianship
  - Another planned, permanent living arrangement
  - Independent living for a child age 16 years or older
- 

**Texas****Schedule of Hearings****Statute: Fam. Code §§ 263.201; 263.304; 263.305**

- A hearing shall be held no later than 60 days after the child is placed to review the child's status and service plan.
- A permanency hearing shall be held no later than 180 days after the child is placed and subsequent hearings no later than 120 days thereafter.

**Persons Entitled to Attend Hearings****Statute: Fam. Code § 263.301**

- The department
- The foster parent, preadoptive parent or relative providing care, or the director of the group home where the child resides
- Each parent of the child
- The managing conservator or guardian of the child
- An attorney *ad litem*
- A volunteer advocate
- Any other person or agency named by the court to have an interest

**Determinations Made at Hearings****Statute: Fam. Code §§ 263.304; 263.306**

- Review the status of the child
- Review the permanency plan
- Evaluate the parties' compliance with temporary orders and the service plan
- Determine whether the child continues to need substitute care and whether the current placement is appropriate

**Permanency Options****Statute: Fam. Code § 263.306**

- Return to the parent
- Adoption
- Placement in a permanent managing conservatorship

**Utah****Schedule of Hearings****Statute: §§ 78-3a-311; 78-3a-311.5**

- A hearing to review the service plan shall be held within 6 months after the initial dispositional hearing.
- A permanency hearing shall be held:
  - No later than 12 months after the removal of the child
  - No later than 8 months after the removal if the child is age 36 months or younger
  - Within 30 days if no reunification services are ordered

**Persons Entitled to Attend Hearings****Statute: §§ 78-3a-309; 78-3a-314**

- The child
- The guardian *ad litem*
- Both parents and any guardian of the minor
- The child's foster parents
- Any preadoptive parent
- Any relative providing care to the child

**Determinations Made at Hearings****Statute: § 78-3a-312**

- Whether the child can safely be returned home
- The efforts or progress shown by the parent
- The extent to which the parent cooperated and availed himself or herself of services provided

**Permanency Options****Statute: § 78-3a-312**

- Reunification
- Adoption
- Guardianship
- Kinship placement
- Another planned, permanent living arrangement

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**Vermont****Schedule of Hearings****Statute: Tit. 33, § 5531**

A permanency hearing:

- Shall be held every 12 months, with the initial hearing by the earlier of:
  - 30 days after a finding that the child is in need of care or supervision, per § 5526
  - 60 days after the date the custody of the child was initially transferred to an individual or agency other than the parent
- May be held every 3 months for children younger than 3 years of age
- May be held every 6 months for children between the ages of 3 and 6 years

**Persons Entitled to Attend Hearings****Statute: Tit. 33, § 5531**

- All parties to the proceeding
- Any foster parent, preadoptive parent, or relative providing care for the child

**Determinations Made at Hearings****Statute: Tit. 33, § 5531**

- Review of the order of disposition
- Determine the permanency plan for the child

**Permanency Options****Statute: Tit. 33, § 5531**

- Return to the parents
- Adoption
- Legal guardianship
- Another planned permanent living arrangement

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**Virgin Islands****Schedule of Hearings****Statute: Tit. 5, § 2554**

The status of a child removed from the home shall be reviewed at least once every 6 months following the initial order of disposition.

**Persons Entitled to Attend Hearings****Statute: Tit. 5, § 2554**

Any party

**Determinations Made at Hearings****Statute: Tit. 5, § 2554**

- What services have been provided or offered
- The extent to which the parents have visited the child
- Whether the agency is satisfied with the level of the parent's cooperation
- Whether additional services are needed
- When the return of the child may be expected

**Permanency Options****Statute: Tit. 5, § 2501**

- Return to the parent
- Adoption
- Placement in another permanent setting

**Virginia****Schedule of Hearings****Statute: §§ 16.1-281; 16.1-282; 16.1-282.1; 16.1-282.2**

- A dispositional hearing will be held within 75 days of removal to review and approve the foster care plan.
- A foster care review hearing shall be held within 6 months of the dispositional hearing.
- A permanency hearing will be held within 11 months of the dispositional hearing.
- An additional foster care review hearing will be held annually for any child who remains in the custody of a local board of social services.

**Persons Entitled to Attend Hearings****Statute: § 16.1-281**

- The parent
- The child if age 12 years or older
- The guardian *ad litem*
- The parent's attorney
- Any other person standing *in loco parentis*
- The foster parents

**Determinations Made at Hearings****Statute: § 16.1-281**

- Whether the parent has made marked progress toward reunification with the child
- Whether reasonable efforts have been made

**Permanency Options****Statute: § 16.1-281**

- Return to the parent
- Transfer custody to a fit and willing relative
- Adoption
- Permanent foster care
- Independent living for a child age 16 years or older
- Another planned permanent living arrangement

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**Washington****Schedule of Hearings****Statute: §§ 13.34.134; 13.34.138; 13.34.145**

- Hearings to review the status of all children found dependent shall be held 6 months from the beginning of placement and every 6 months thereafter.
- Permanency hearings shall be held no later than 12 months from the beginning of placement and every 12 months thereafter.
- If reasonable efforts are not ordered, a permanency hearing shall be held within 30 days.



**Persons Entitled to Attend Hearings****Statute: § 13.34.138**

- The parties and their counsel
- Any foster parent, preadoptive parent, or relative currently providing care to the child

**Determinations Made at Hearings****Statute: § 13.34.138**

- Review of agency and parental completion of disposition plan requirements
- Whether reasonable services have been provided
- Whether the child has been placed in the least-restrictive setting appropriate to the child's needs
- Whether there is still a need for placement
- Whether there has been progress made toward correcting problems
- Whether the parents have visited the child
- Whether there is a need for additional services

**Permanency Options****Statute: § 13.34.145**

- Return to the parent
- Adoption
- Guardianship
- Permanent legal custody
- Long-term relative or foster care
- Independent living, if appropriate, for a child age 16 or older

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**West Virginia****Schedule of Hearings****Statute: §§ 49-6-5a; 49-6-8**

A permanency hearing shall be held:

- Within 12 months of the child's commitment to care and every 12 months thereafter
- Within 30 days of a finding that reasonable efforts are not required

**Persons Entitled to Attend Hearings****Statute: §§ 49-6-5; 49-6-5a; 49-6-8**

- The child's attorney
- The child, if 12 years of age or older
- The child's parent, guardian, or custodian or their counsel
- The foster parent
- Any preadoptive parent
- Any relative providing care for the child

**Determinations Made at Hearings****Statute: § 49-6-8**

- Whether and under what conditions the child's commitment shall continue
- Whether reasonable efforts have been made
- Services required to meet the child's needs
- What efforts are needed to provide the child with a permanent home

**Permanency Options****Statute: § 49-6-5a**

- Return to the parent
  - Adoption
  - Placement with a fit and willing relative
  - Legal guardianship
  - Another planned permanent living arrangement
- 

**Wisconsin****Schedule of Hearings****Statute: § 48.38**

- A review hearing shall be held within 6 months of the child's removal from home and every 6 months thereafter.
- A permanency hearing shall be held within 12 months of child's removal and every 12 months thereafter.

**Persons Entitled to Attend Hearings****Statute: § 48.38**

- The parents
- The child if age 12 or older
- Any foster parent, treatment foster parent, operator of a facility where the child resides, or relative providing care for the child
- A person representing the interests of the public
- The child's counsel and guardian *ad litem*

**Determinations Made at Hearings****Statute: § 48.38**

- The continuing necessity and appropriateness of the placement
- The extent of compliance with the permanency plan
- The extent of efforts to meet the needs of the child and parents
- Progress toward eliminating the causes for the child's placement
- Whether reasonable efforts were made by the agency

**Permanency Options****Statute: § 48.38**

- Return to the parent
  - Adoption
  - Placement with a guardian
  - Permanent placement with a fit and willing relative
  - Some other alternative permanent placement, including sustaining care, independent living, or long-term foster care
- 

**Wyoming****Schedule of Hearings****Statute: §§ 14-3-431; 14-3-440**

A permanency hearing shall be held:

- Within 6 months of the child's removal from home, 12 months after the removal, and every 12 months thereafter
- Within 30 days after a finding that reasonable efforts are not required

**Persons Entitled to Attend Hearings****Statute: §§ 14-3-402; 14-3-424**

- The parties, which include:
  - The child
  - The child's parents
  - The child's guardian or custodian
  - The State of Wyoming
  - Any other person made a party by the juvenile court
- Counsel for the parties

**Determinations Made at Hearings****Statute: § 14-3-431**

- The continuing necessity for the placement
- The appropriateness of the current placement
- The reasonableness of efforts to reunify the family
- The appropriateness of the case plan and extent of compliance with the case plan
- Progress being made toward mitigating the causes necessitating placement

**Permanency Options****Statute: § 14-3-431**

- Return to the parent
- Adoption
- Legal guardianship